THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 7193 of 2005

25-10-2005

Between:

Nallajerla Pulla Rao.

.....PETITIONER

AND

The Principal Secretary to Government of Andhra Pradesh,

Industries & Commerce Department & Others.

.....RESPONDENTS

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 7193 of 2005

ORDER : (Per Hon'ble Sri Bilal Nazki, ACJ)

This writ petition has been filed in public interest and the issue raised was relating to a mining lease. Lease had been granted with respect to 25 acres of land, to respondent No.9. The lease had been granted for 15 years from the year 1994. The land measuring 25 acres is in 8 different blocks. Respondent No.6 wanted to exchange part of this land with another piece of land to make land contiguous, so that for rest of the land, they could invite global tenders.

The petitioner's case, on the other hand, was that the 25 acres of land, which had been leased out to respondent No.9, had already been used by him and the metal available, had been extracted from the mines and the mines are going to be exchanged for virgin land in order to give benefits to respondent No.9, without calling for fresh tenders. The record shows that a Committee had been appointed earlier, which had suggested the exchange. Since the allegations are serious and prima facie it appeared that after some time of the mines having been utilized, the exchange might be an exercise in granting of undue benefit to respondent No.9, therefore, we appointed Mr.Ashfaq Waheed, the Director of Mines Safety, Hyderabad, as an independent Commissioner. He has filed a report, in which, he has stated that the arrangement would be beneficial to respondent No.6-A.P.Mineral Development Corporation rather than respondent No.9. Objections have been filed by the petitioner to this report.

We have heard the learned counsel for the petitioner, gone through the report and also the objections. In view of the view of Expert Committee and also of the independent Commissioner, who is also an expert, we do not think any interference is called for in the matter.

The writ petition is accordingly dismissed. No order as to costs.

(BILAL NAZKI, ACJ)

25th October 2005.

(R.SUBHASH REDDY, J)

ajr